

Application No.: 10/808979
Docket No.: CL2360USNA

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REMARKS

Claims 6 and 13-18 are in the case.

Claim 6 has been amended to more clearly define applicants invention.

Claims 7-32 are canceled.

All claims stand rejected under 35 USC § 112.

No new matter has been added.

The examiner has maintained his rejections of all claims under 35 USC § 112 with regard to the written description and enablement requirements. In brief, the examiner finds that the specification does not provide adequate written description for vectors, chimeric genes or transformed hosts comprising crtZ, variants of SEQ ID NO:18 and is lacking a biological deposit.

Without intending to agree with the examiner's rationale for any of the maintained rejections, Applicants have amended claim 6 to recite an isolated nucleic acid sequence as set forth in SEQ ID NO18, and have canceled all other dependant claims. As vectors and host cells are no longer claimed Applicants submit that the requirement under 35 USC § 112 1st paragraph for a biological deposit is moot.

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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